UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,878	05/02/2001	Dellas G. Frederiksen	10005162-1	5805

7590 10/26/2004	EXAMINER
HEWLETT-PACKARD COMPANY	BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
2155	

HEWLETT-PACKARD COMPANY
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P.O. Box 272400
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DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 May 2001*.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *20040217*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Detailed Action

Claims 1-20 are pending in this Office Action.

Information Disclosure Statement

The information disclosure statement filed on paper 2/17/04 has been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in
public use or on sale in this country, more than one year prior to the date of application for patent in the
United States.

**Claims 1-5, 11, 14-16, 18-20 are rejected under 35 U.S.C. 102(b) as being
anticipated by U.S. Patent No. 5,220,674 by Morgan et al ("Morgan") (Applicant
IDS).**

Regarding claim 1, a contention management apparatus (Morgan: col. 3, lines 27)

comprising:

(a) a network (Morgan: col. 3, lines 42);

(b) more than one MFP connected to the network (Morgan: col. 3, lines 27-41);

and

(c) a contention controller connected to the network and through the network to

the more than one MFP (Morgan: col. 3, lines 42-48), the contention controller

configured to direct output from an MFP in contention to an idle MFP (Morgan: col. 3,

lines 66- col. 4, line 13; col. 9, lines 43-47).

Regarding claim 2, the apparatus of claim 1 wherein the contention controller further includes a database of networked MFPs and a user priority list of MFPs for use when contention occurs (Morgan: col. 10, lines 27-57; client priority list; global database).

Regarding claim 3, the apparatus of claim 1 wherein the contention controller contains a default list of MFPs for use when contention occurs (Morgan: col. 10, lines 28-58; default parameters in the global database).

Regarding claim 4, the apparatus of claim 1 wherein the contention controller resides on one of the more than one MFPs (Morgan: col. 6, lines 27-38).

Regarding claim 5, the apparatus of claim 1 wherein the contention controller resides on and is manipulated by a PC (Morgan: col. 6, lines 27-38).

Regarding claim 11, a system for managing contention between more than one MFP connected in a network (Morgan: col. 3, lines 27-41), the system comprising a contention controller connected to the network (Morgan: col. 3, lines 42-48), the contention controller configured to identify MFPs in contention and idle MFPs and to direct output to one or more idle MFPs when contention occurs (Morgan: col. 3, lines 66- col. 4, line 13; col. 9, lines 43-47).

Regarding claim 14, the system of claim 11 wherein the contention controller further includes a database of networked MFPs and a user priority list of MFPs for use when contention occurs (Morgan: col. 3, lines 66- col. 4, line 13; col. 9, lines 43-47).

Regarding claim 15, the system of claim 11 wherein the contention controller further includes a default list of MFPs for use when contention occurs (Morgan: col. 10, lines 38-55; global database).

Regarding claim 16, a method for managing contention in MFPs (Morgan: col. 3, lines 27-41) comprising the steps of:

(a) providing a contention controller (Morgan: col. 3, lines 42-48);

(b) connecting said contention controller to a network (Morgan: col. 3, lines 42-48);

(c) connecting a plurality of MFPs to said network (Morgan: col. 3, lines 27-41);

(d) configuring said contention controller to identify MFPs connected to said network (Morgan: col. 3, lines 54- col. 4, line 13);

(e) configuring said contention controller to identify MFPs in contention and idle MFPs (Morgan: col. 3, lines 66- col. 4, line 13; col. 9, lines 43-47); and

(f) directing output of MFPs in contention to idle MFPs by means of said contention controller (Morgan: col. 3, lines 66- col. 4, line 13; col. 9, lines 43-47).

Regarding claim 18, the method of claim 16 further comprising the step of adding user preferences to said contention controller for selection of idle MFPs to which output is directed (Morgan: col. 6, lines 55- col. 7, line 23; based on the printing instructions from clients).

Regarding claim 19, the method of claim 16 further comprising the step of adding default instructions for selection of idle MFPs to which output is directed (Morgan: col. 22, lines 49-65).

Regarding claim 20, a computer-readable medium having computer-readable instructions thereon which, when executed by a computer (Morgan: col. 10, lines 27-37; databases contain the readable instructions; the code in which the hardware runs), perform the steps of claim 16.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

**Claims 6-10, 12-13, 17 are rejected under 35 U.S.C. 103(a) as being
anticipated by U.S. Patent No. 5,220,674 by Morgan et al ("Morgan") (Applicant
IDS) in view of U.S. Publication No. 2002/0063886 by Johnson.**

Regarding claim 6,

The Morgan reference teaches the apparatus of claim 1 with a network.

The Morgan reference does not explicitly state intranet but an intranet is a type of

network.

The Johnson reference teaches a network is an intranet (Johnson: page 5, para 50).

The Johnson reference further teaches the invention is a print server that

recognizes and processes print jobs using queues to allow multiple users to concurrently

send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-

8).

Therefore it would have been obvious at the time of the invention to one of

ordinary skill in the art to create the contention management apparatus as taught by

Morgan while employing an intranet as taught by Johnson in order to recognize and

processes print jobs using queues to allow multiple users to concurrently send print jobs

to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Claim 7 is also rejected under the same rationale given above. In the rejections set

fourth, the examiner will address the additional limitations and point to the relevant

teachings Morgan et al and Johnson.

Regarding claim 7, the apparatus of claim 1 wherein the network is the Internet (Johnson: page 5, para 50).

Regarding claim 8,

The Morgan reference teaches a contention management apparatus in a network of a plurality of MFPs (Morgan: col. 3, lines 27-41), the apparatus comprising:

(a) an network (Morgan: col. 3, lines 42);

(b) the plurality of MFPs connected to the intranet network (Morgan: col. 3, lines 27-41); and

(c) a contention controller connected to the plurality of MFPs through a connection to the intranet network (Morgan: col. 3, lines 42-48), the contention controller including a database of networked MFPs and a user priority list of MFPs for use when contention occurs (Morgan: col. 10, lines 27-57), wherein the contention controller is configured to direct output from any MFP in contention to an idle MFP on the user priority list (Morgan: col. 3, lines 66- col. 4, line 13; col. 9, lines 43-47).

The Morgan reference does not explicitly state an intranet but it is just a type of network.

The Johnson reference teaches a network is an intranet (Johnson: page 5, para 50).

The Johnson reference further teaches the invention is a print server that recognizes and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the contention management apparatus as taught by Morgan while employing an intranet as taught by Johnson in order to recognize and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Claim 9-10 are also rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings Morgan et al and Johnson.

Regarding claim 9, the apparatus of claim 8 wherein the contention controller further includes a default list of MFPs for use when contention occurs (Morgan: col. 10, lines 38-55; global database).

Regarding claim 10, the apparatus of claim 8 further comprising a plurality of MFPs connected to the Internet and to the intranet network (Johnson: page 5, para 50).

Regarding claim 12,

The Morgan reference teaches the apparatus of claim 11 with a network.

The Morgan reference does not explicitly state intranet but an intranet is a type of network.

The Johnson reference teaches a network is an intranet (Johnson: page 5, para 50).

The Johnson reference further teaches the invention is a print server that recognizes and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the contention management apparatus as taught by Morgan while employing an intranet as taught by Johnson in order to recognize and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Claim 13 is also rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings Morgan et al and Johnson.

Regarding claim 13, the apparatus of claim 11 wherein the network is the Internet (Johnson: page 5, para 50).

Regarding claim 17,

 The Morgan reference teaches the method of claim 16 with a network.

 The Morgan does not explicitly state the internet but the internet is a combination of networks.

 The Johnson reference teaches a network is the Internet (Johnson: page 5, para 50).

 The Johnson reference further teaches the invention is a print server that recognizes and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

 Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the contention management apparatus as taught by Morgan while employing an intranet as taught by Johnson in order to recognize and processes print jobs using queues to allow multiple users to concurrently send print jobs to the printer without encountering conflicts (Johnson: page 1, para 5, 7-8).

Conclusion

 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324 until 10/27/2004 and 571-272-3982 after. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662 until 10/27/2004 and 571-272-3978 after. The fax phone numbers for the organization where this application or

proceeding is assigned are (703) 872-9306 for regular communications and After Final

communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

0324 until 10/27/2004 and 571-272-3982 after.

Benjamin R Bruckart
Examiner
Art Unit 2155
brb
October 21, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER